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*Attorneys for Specially Appearing Defendants Ryze*

*Capital Partners, LLC, Ryze Renewables Las Vegas,*

*LLC, Chris Dancy, and Matt Pearson*

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

**RB PRODUCTS, INC.,**

Plaintiff,

v.

**RYZE CAPITAL, L.L.C.; ENCORE DEC,  
L.L.C.; RYZE RENEWABLES RENO,  
L.L.C.; RYZE RENEWABLES, L.L.C.;  
MICHAEL BROWN; CHRIS DANCY;  
RESC, L.L.C.; RYZE RENEWABLES  
LAS VEGAS, L.L.C.; MATT PEARSON;  
AND RANDY SOULE,**

Defendants.

**CASE NO.: 3:19-cv-00105-MMD-WGC**

**STIPULATION AND [PROPOSED]  
ORDER FOR EXTENSION OF TIME TO  
FILE REPLY BRIEFS IN SUPPORT OF  
MOTION TO STAY AND MOTIONS TO  
DISMISS**  
(First Request)

Defendants, by and through their respective counsel as indicated below, and Plaintiff RB Products, Inc., by and through its counsel of record, stipulate and agree as follows:

1           1.       On May 29, 2019, the following Motions were filed:

- 2           a.       Defendants Encore DEC, L.L.C, RESC, L.L.C. and Randy Soule's Motion to  
3               Dismiss (ECF No. 47). A Joinder was filed by Defendant Michael Brown (ECF No.  
4               57).
- 5           b.       Specially appearing defendants Ryze Capital Partners, LLC, Ryze Renewables Las  
6               Vegas, LLC, Chris Dancy, and Matt Pearson's Motion to Stay Plaintiff's Claims  
7               Pending Arbitration Pursuant to 9 U.S.C. § 3 (ECF No. 51).
- 8           c.       Separate joinders were filed by specially appearing defendants Ryze Renewables,  
9               LLC and Ryze Renewables Reno, LLC (ECF No. 53) and Michael Brown (ECF  
10              No. 58).
- 11          d.       Specially appearing defendants Ryze Capital Partners, LLC, Ryze Renewables Las  
12              Vegas, LLC, Chris Dancy, and Matt Pearson's Motion to Dismiss and  
13              Memorandum of Points and Authorities in Support Thereof (ECF Nos. 52 and 55).
- 14          e.       Separate Joinders were filed by specially appearing defendants Ryze Renewables,  
15              LLC and Ryze Renewables Reno, LLC (ECF No. 54) and Michael Brown (ECF  
16              No. 56).
- 17          f.       Defendant Michael Brown's Motion to Dismiss Plaintiff's Amended Complaint  
18              (ECF No. 59).

19          2.       On May 31, 2019, Plaintiff filed its Motion for Extension of time to Respond to  
20 Defendants' Motions to Dismiss and Motion to Stay (ECF No. 65) and requested an extension  
21 through the end of June 30, 2019, to respond to *inter alia* the above Motions. In its Motion,  
22 Plaintiff noted that it agreed to an extension for Ryze Capital Partners, LLC, Ryze Renewables  
23 Las Vegas, LLC, Chris Dancy, and Matt Pearson's until July 26, 2019 to file their reply briefs in  
24 support of their motion to stay (ECF No. 51) and motion to dismiss (ECF No. 55). Plaintiff also  
25 agreed to provide Ryze Renewables, LLC and Ryze Renewables Reno, LLC the same extension.

26          3.       The Court granted Plaintiff's Motion for Extension of Time (ECF No. 66).

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1           4.       Defendants are now requesting an extension of time to file their respective reply  
2 briefs. Defendants are requesting this extension due to the upcoming holidays, counsel's travel  
3 plans, and counsel's obligations in other cases.

4           5.       The parties therefore stipulate and agree that all Defendants shall have up to and  
5 including July 26, 2019, to file any reply briefs in support of their respective motions, specifically  
6 Motion to Stay (ECF No. 51), the Motions to Dismiss (ECF Nos. 47, 52, 55, and 59) and the  
7 various Joinders (ECF Nos. 53, 54, 56, 57 and 58).

8           6.       This stipulation is being filed in good faith for the reasons stated above and not for  
9 the purpose of delay.

10          7.       This is the first stipulation to extend the time for filing reply briefs in support of the  
11 Motion to Stay (ECF No. 51), the Motions to Dismiss (ECF Nos. 47, 52, 55, and 59) and the  
12 various Joinders (ECF Nos. 53, 54, 56, 57 and 58).

13       DATED this 7<sup>th</sup> day of June, 2019.

          DATED this 7<sup>th</sup> day of June, 2019.

14       /s/ Justin J. Bustos

/s/ Ashish Mahendru

15       Justin J. Bustos

          Adam Hosmer-Henner

16       **LATHAM & WATKINS LLP**

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17       JOSHUA G. HAMILTON (*Pro hac vice*)

          ASHISH MAHENDRU

18       MICHAEL J. REISS (*Pro hac vice* application  
19 pending)

          DARREN A. BRAUN

19       SARAH F. MITCHELL (*Pro hac vice*  
20 application pending)

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          ADAM HOSMER-HENNER

21       **DICKINSON WRIGHT PLLC**

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23       JUSTIN J. BUSTOS

24       *Attorneys for Specially Appearing Defendants*  
25 *Ryze Capital Partners, LLC, Ryze Renewables*  
26 *Las Vegas, LLC, Chris Dancy, and Matt Pearson*  
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1 DATED this 7<sup>th</sup> day of June, 2019.

2 /s/ Jeffrey M. Blank

3 Jeffrey M. Blank

4 **GARCIA RAINEY BLANK  
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5 NORMA V. GARCIA

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11 *Attorneys for Michael Brown*

12 /s/ Ryan W. Leary

13 Ryan W. Leary

14 **LAXALT & NOMURA, LTD.**

15 DANIEL T. HAYWARD

16 RYAN W. LEARY

17 *Attorneys for Specially Appearing Defendants*  
18 *Ryze Renewables, LLC and Ryze Renewables*  
19 *Reno, LLC*

20 \* \* \*

21 **ORDER**

22 IT IS SO ORDERED.

23 DATED: June 7, 2019

DATED this 7<sup>th</sup> day of June, 2019.

/s/ Michael R. Ayers

Michael R. Ayers

**HOLLEY, DRIGGS, WALCH,  
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*Attorneys for Defendants Encore DEC,  
L.L.C, RESC, L.L.C, and Randy Soule*

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HON. MIRANDA M. DU  
UNITED STATES DISTRICT JUDGE

1 **CERTIFICATE OF SERVICE**

2 I certify that I am an employee of DICKINSON WRIGHT PLLC, and that on this date,  
3 pursuant to Fed. R. Civ. P. 5(b), I am serving a true and correct copy of the attached **STIPULATION**  
4 **AND [PROPOSED] ORDER FOR EXTENSION OF TIME TO FILE REPLY BRIEFS IN**  
5 **SUPPORT OF MOTION TO STAY AND MOTIONS TO DISMISS (First Request)** on the  
6 parties as set forth below via the Court's CM/ECF system:

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19 DATED this 7<sup>th</sup> day of June, 2019.

20 /s/ Mina Reel  
21 An employee of DICKINSON WRIGHT  
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23  
24  
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26  
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